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**MAY 16 2008**

**HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, Colorado 80527-2400**

**PATENT APPLICATION**

**ATTORNEY DOCKET NO. 200314645-1**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Inventor(s): Daryl E. Anderson et al.**

**Confirmation No.: 2920**

**Application No.: 10/757,104**

**Examiner: BODDIE, William**

**Filing Date: January 13, 2004**

**Group Art Unit: 2629**

**Title: A Temperature Compensated MEMS Device**

**Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450**

**NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner date, March 24, 2008, rejecting the following claims 1-8, 10-21, 23-54 and 63

- The fee for filing this Notice of Appeal is \$510.00 (37 CFR 41.20).  
 No Additional Fee Required.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.13 6(a) apply.

- (a) Applicant petitions for an extension of time under 37 CFR 1.136 (FEES: 37 CFR 1.17 (a)-(d) for the total number of months checked below:

1st Month  
\$120

2nd Month  
\$460

3rd Month  
\$1050

4th Month  
\$1640

- The extension fee has already been filed in this application

- (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$ 510.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

- I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450

Date of Deposit:

**OR**

- I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (571) 273-8300.

Date of facsimile: May 16, 2008

Typed Name: Rebecca R. Schow

Signature: [Signature]

Respectfully submitted,

Daryl E. Anderson et al.

By

Rebecca R. Schow

Steven L. Nichols

Attorney/Agent for Applicant(s)

Reg No. : 40,326

Date : May 16, 2008

Telephone : 801-572-8066

Application No.: 10/757,104

Attorney Docket No.: 200314645-1

**Certificate of Transmission**

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents via the USPTO central facsimile number, (571) 273-8300.

on May 16, 2008  
Date  
SignatureRebecca R. Schow  
Typed or printed name of person signing Certificate**Transmitted, herewith, are the following documents:**

1. Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences with Duplicate Copy (2 pages)
2. Certificate of Transmission (1 page)